1985

29.5.97 Rs 100

Single Bench

(3)

(1)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR.

WRIT PETITION NO.4744 OF 2004

PETITIONER : Ram Prakash Mishra S/o Late Shri R.K. Mishra, aged about 47 years, Posted as Supervisor at C.G. Sanskrit Board Raipur (C.G.),

4801 Rakesh Pandey 08/12/04

P.K. Present dated

VERSUS

RESPONDENTS :

1. State of Chhattisgarh, Through Secretary, Department of Panchayat and Social Welfar, D.K.S. Bhawan Mantralaya, Raipur (C.G.)
2. Director Panchayat And Social Welfare D.K.S. Bhawan Mantralaya, Raipur (C.G.).
3. Secretary, Deptt. Of School Education Government of C.G. Mantralaya, D.K.S. Building, Raipur (C.G.)
4. Director, Public Instructions, Pension Bada, Raipur (C.G.)

RECEIVED COPY 9/12/04 A.G. Bilaspur

9/12/04

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUE OF AN APPROPRIATE WRIT IN THE NATURE OF MANDAMUS/CERTIORARI ETC. OR DIRECTION/ORDER IN THE LIKE NATURE ETC.

TO,

THE HON'BLE CHIEF JUSTICE AND HIS HON'BLE COMPANION JUDGES OF THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR, (CHHATTISGARH).

XI-HC-22

(63)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP/4744/04 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

04.04.2005

On a mention being made, the case is taken up for hearing.

Shri Rajesh Pandey, counsel for the petitioner.

Shri S.S. Agarwal, Govt. Advocate for the State.

The petitioner has preferred this writ petition under Article 226/227 of the Constitution of India being aggrieved by the order dated 9.9.2003 & 20.10.2001/6.11.2004 whereby respondent No.3 has directed absorption of the Supervisors working in the department of Panchayat & Social Welfare as Upper Division Teacher in the Department of Education.

The petitioner's case is that the petitioner along with other Supervisors were appointed in the executive cadre after being selected by mini P.S.C. and by the impugned orders the petitioner and other supervisors are being absorbed on a lower post, which wholly illegal, arbitrary and unreasonable.

Learned counsel for the petitioner submits that the petitioner is an employee of Department of Panchayat & Social Welfare, which is a Class-III (Executive) and no order till date has been issued declaring him surplus. However, vide impugned orders the petitioner along with other similarly situated persons were ordered to be absorbed in the Education Department on the post U.D.T., whereas the posts of Panchayat Inspectors are lying vacant in the Panchayat Department and for which the petitioner is eligible. Counsel further submits that the petitioner may be allowed to make a detailed representation to respondent No.1 raising all his grievances for his consideration and respondent No.1 be directed to decide the representation of the

XI-HC-22

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

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petitioner, to which learned counsel for the respondents has no objection.

Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and having regard to the point raised by the petitioner, the petitioner is allowed to make a detailed representation to respondent No.1 within a period of 10 days from today raising all his grievances and in turn respondent No.1 is directed to consider the representation of the petitioner and to decide the same after considering all the grievances raised by the petitioner within another eight weeks in accordance with law. Till the representation is decided the petitioner should not be relieved, if he has not already been relieved.

With the above direction, the petition stands disposed of.

Certified copy as per rules.

Sd/-
L.C. Bhadoo
Judge

(पीछे देखिये)